

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

JOHN TENNISON,

Plaintiff,

vs.

CITY AND COUNTY OF SAN
FRANCISCO; SAN FRANCISCO
POLICE DEPARTMENT; PRENTICE
EARL SANDERS; NAPOLEON
HENDRIX; and GEORGE
BUTTERWORTH,

Defendants.

Minnesota District Court Case No.

(Northern District of California Case No.
C04-0574 CW (EMC))

ANTOINE GOFF,

Plaintiff,

vs.

CITY AND COUNTY OF SAN
FRANCISCO; et al.

Defendants.

(Northern District of California Case No.
C04-1643 CW (EMC))

**DECLARATION OF HOLLY PERA IN SUPPORT OF MOTION BY DEFENDANTS
PRENTICE EARL SANDERS AND NAPOLEON HENDRIX FOR ORDER TO SHOW
CAUSE FOR CIVIL CONTEMPT AGAINST LOVINSKY RICARD
(Federal Rule of Civil Procedure 45(e))**

DECLARATION OF INSPECTOR HOLLY PERA

I, HOLLY PERA, declare the following:

1. I have personal knowledge of the facts set forth below. If called upon to testify as to the truth of these facts, I could and would do so competently.

2. I am currently employed as an Inspector in the San Francisco Police Department ("SFPD"), Homicide Division, and have been employed by the SFPD since 1980.

3. On August 28, 2003, SFPD Inspector Joseph Toomey and I were assigned to the case involving the homicide of Roderick Shannon, who was murdered in San Francisco, California on August 19, 1989. John Tennison ("Tennison") and Antoine Goff ("Goff") were convicted on charges stemming from the Shannon murder in October 1990.

4. On September 1, 2003, as part of the investigation, Inspector Toomey and I flew to Minnesota, where we had learned Lovinsky Ricard was living. On September 2, 2003, Inspector Toomey and I made an unannounced visit to Mr. Ricard's home, where we interviewed Mr. Ricard.

5. Among other things, during the interview Mr. Ricard stated that:

a. Mr. Ricard did not kill Roderick Shannon and was not present when he was killed;

b. Mr. Ricard lied to SFPD officers during an audiotaped interview given in November 1990 when he confessed to murdering Shannon;

c. Mr. Ricard again lied about killing Shannon, during a February 1991 videotaped statement that Ricard made at the request of Jeff Adachi ("Adachi"), a public defender who represented Tennison during Tennison's prosecution for the Shannon murder;

d. Mr. Ricard agreed to give the February 1991 videotaped interview after Adachi reassured Ricard that he could not be charged for the Shannon murder as a result of the videotaped interview because Ricard's identity was concealed during the videotape and because the videotape occurred after Tennison and Goff's murder convictions;

e. Mr. Ricard lied on both occasions in November 1990 and February 1991 about having killed Shannon because Mr. Ricard believed that his statements would help Tennison and Goff, who were friends of Ricard at the time; and

f. Mr. Ricard believed that a person who was Tennison's brother was the first person to approach Ricard and suggest that he lie about shooting Shannon to help Tennison.

6. Immediately after the September 1, 2003 interview, I made detailed notes of the interview, and later on September 2, 2003, I wrote a report summarizing the interview. A true and correct copy of my September 2, 2003 report is attached to this declaration as ***Exhibit A***.

7. On February 22, 2005, Inspector Toomey and I returned to Mr. Ricard's home to ask him to sign a declaration attesting to the information he related to us in the September 2, 2003 interview.

8. Prior to reading the declaration, Ricard said he could not sign it unless his attorney, Mr. Dennis Roberts of Oakland, California, advised him to do so. Mr. Ricard never signed the declaration, but he did read the declaration during the February 22, 2005 meeting and stated that the declaration was accurate. A copy of my report of the February 22, 2005 interview of Mr. Ricard, my handwritten notes of that interview and the declaration that Mr. Ricard refused to sign are attached as ***Exhibit B***.

I declare under penalty of perjury under the laws of the State of California and the United States of America that this declaration is true and correct to the best of my knowledge and recollection.

Executed in San Francisco, California.

DATED: April 22, 2005

Inspector Holly Pera
INSPECTOR HOLLY PERA